

REMARKS

This submission is responsive to the Office action mailed March 27, 2002. The Office action set forth the following objections and rejection regarding the above captioned application, each of which is addressed below. In view of the above amendments and the following remarks, applicants respectfully request reconsideration and allowance of the instant application.

Specification

The specification is objected to for including a minor informality in the first full paragraph of page 11. This paragraph is amended to change "elicits" in the phrase "attempts to elicits comments" to "elicit" as kindly suggested by the Examiner. Applicants respectfully submit that this correction obviates the outstanding objection to the specification.

35 U.S.C. § 112

Claim 7 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The Examiner notes that the phrase "wherein said second comprises" renders this claim indefinite. Claim 7 is amended to refer to the "second GUI" initially introduced in claim 1 from which claim 7 depends. Applicants respectfully submit that claim 7 as amended complies with the requirements of the second paragraph of 35 U.S.C. § 112. As there is no rejection of claim 7 over the prior art, applicants submit that this amendment renders claim 7 allowable.

35 U.S.C. § 103

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,774,883 issued to Andersen et al. (hereinafter Andersen) in view of U.S. Patent 5,594,837 issued to Noyes (hereinafter Noyes). Claim 1 is amended to more clearly define the invention. Andersen in view of Noyes fails to show or suggest each element of the system defined by claim 1 for the reasons discussed below.

The invention as set forth in claim 1 pertains to a system for use by a customer service representative (CSR) when negotiating with customers who are delinquent in paying existing financial debt obligations. As set forth in claim 1, the invented system includes "a processor operative to generate negotiation and financial payment advice in response to answers to . . . one or more questions." To present the question, the invented system includes a "second [graphical user interface] GUI comprising one or more questions." However, applicant has recognized that the situations of delinquent customers vary and thus may be organized in a number of classes of similar situations. The questions presented are based on selecting the financial situation in which the delinquent customer finds himself. Accordingly, the inventive system of claim 1 includes a "first GUI comprising one or more descriptive icons, said descriptive icons representing one or more financial situations." Claim 1 is amended to clearly set forth that the second GUI (comprising the questions) is displayed "based on selection of one of said one or more descriptive icons." Andersen in view of Noyes fails to show or suggest such a system.

The primary reference to Andersen et al. describes a "transaction management system designed specifically for the Desk Manager . . . and the F & I manager [of a car dealership] to sell more cars, generate the greatest possible profit on each sale and guarantee purchase [of the financing contract] by a lending institution." Andersen, col. 3, ll. 8-12. The Andersen system is thus directed to the single financial situation of buying an automobile. The Andersen system first outputs the structure of a deal based on vehicle data. Andersen, col. 5, ll. 45-57. It then calculates a possibly more advantageous deal based on a credit application, credit reports and information requested by the system. Andersen, col. 12, ll. 8-21. Importantly, each credit question is displayed based on using previously entered information to evaluate a set condition. Andersen, col. 27, ll. 47-56. The questions are based on the rate level the system has determined

is appropriate for the buyer. Andersen, col. 27, ll. 41-44. The more advantageous deal, based on the rate level for which the buyer is verified as qualifying for, is then output for further negotiation.

One fundamental difference between Andersen and the instant invention is that Andersen relates to structuring a sales deal for an asset such as an automobile, while the instant invention provides financial payment advice to a CSR. Accordingly the Andersen system and the instant invention manipulate two different sets of data. The Andersen system relies on data regarding the automobile to be purchased and the credit worthiness of the customer. The instant system relies on data regarding delinquent accounts and the financial situation resulting in the delinquency. The Andersen system outputs a deal structure, while the instant invention outputs financial payment advice and negotiation strategies. Importantly, the instant system permits the user to characterize the financial situation. The Andersen system, to the contrary, dictates a structure of the sales deal to ensure profitability and a sales contract that will be purchased by a lender. The Andersen system provides no options to the user for characterizing the situation.

The secondary reference to Noyes is applied merely to show that GUI icons can trigger procedures appropriate to the manipulation of the icon. The user of the Andersen system does not select between options. Accordingly, there is no benefit to including a user interface including icons to trigger various procedures in the Andersen system.

With respect to claim 1, Andersen and Noyes fail to show or suggest each element of the claimed system for providing financial payment advice. In particular claim 1 sets forth a "first GUI comprising one or more descriptive icons, said descriptive icons representing one or more financial situations." Claim 1 is also amended to set forth "a second GUI displayed on [a] display of [a] computer based on selection of one of said one or more descriptive icons, said

second GUI comprising one or more questions.” For the reasons discussed above, Andersen includes no interface including optional selections regarding financial situations. Thus Andersen in view of Noyes fails to suggest a GUI including descriptive icons and fails to show a second GUI displayed based on selection of one of the descriptive icons. Even one was to modify Andersen to include icons, there is no suggestion to include icons that represent financial situations. Additionally, the Examiner relies on the summary of the Andersen system at column 3 lines 45-55 to show a first GUI and the summary of the Andersen system at column 3 lines 55-67 to show a second GUI. These passages are do not relate to separate graphical interfaces, but rather to the steps needed to perform different functions of the Andersen system. For at least the above reasons, Andersen in view of Noyes fails to show or suggest each element of the system for providing financial payment advice of claim 1 as amended.

Claims 2-3 depend from claim 1. Accordingly, Andersen in view of Noyes fails to show or suggest all the limitation of claims 2-3 for at least the reasons discussed above with respect to claim 1.

Additionally, claim 3 sets forth that the invented system “is operable to generate advice on negotiation strategies for interacting with [an] individual.” The Examiner cites to Andersen at column 6, lines 49-67, to show this limitation. This citation confirms that the Andersen system dictates a structured approach to negotiating a vehicle sales deal. There is no suggestion that the Andersen system generates advice on negotiation strategies. The Andersen system merely calculates the parameters of the deal. Andersen thus fails to suggest a system as defined by claim 3.

Claims 5-6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Andersen in view of Noyes as applied to claim 1. Claims 5-6 depend from claim 1. Accordingly,

Andersen in view of Noyes fails to show or suggest each limitation of claims 5 and 6 for at least the reasons discussed above with respect to claim 1.

Claim 5 sets forth that "said second GUI further comprises a window for displaying said advice together with said questions." The Examiner takes official notice that a window displaying advice together with questions is an old and well-known process in the computer art. Applicants respectfully traverse this official notice. Applicants respectfully submit that it is not an old and well-known process to provide a window for displaying financial payment advice together with questions in a system for providing financial payment advice as defined by claim 5.

Claim 6 sets forth that the "second GUI further comprises one or more descriptive icons." The Examiner takes official notice that a system having a second GUI is an old and well-known process in the computer art. The Examiner fails to suggest that a second GUI as particularly defined by claim 6 is shown the computer art. There is no suggestion by the Examiner, or in the prior art, of a system as defined by claim 6 where the second GUI includes descriptive icons.

Independent claim 8 defines a method for providing financial payment advice specifically tailored to an individual's economic situation. Claim 8 includes the steps of "retrieving said individual's account information" and "displaying said account information." As discussed above, Andersen does not address a financial account, but rather structures a sales deal. As there is no transaction with the dealership until after the deal is structured and then accepted, there is no account with the customer for the Andersen system to retrieve or display. The Andersen system does not retrieve and display account information as set forth by claim 8.

Also as discussed above, there is no benefit to modify Andersen to include a descriptive icon because there is no user selection in the described system. Andersen does not permit the

user to choose the financial situation to be addressed. Andersen in view of Noyes simply does not suggest the selection of a descriptive icon. Accordingly, Andersen in view of Noyes fails to show or suggest a step of “retrieving strategy data in response to the selection of a descriptive icon” as set forth by claim 8. Nor does Andersen, suggest “processing answers to questions generated by said system in response to said selection of said descriptive icon” as set forth by claim 8.

Andersen does not address financial payment advice. Rather, as discussed above, the Andersen system dictates the negotiation process. Accordingly, Andersen does not show or suggest the steps of “retrieving financial payment advice” and “displaying said financial payment advice” as set forth by claim 8.

For at least the above reasons, Andersen in view of Noyes fails to suggest each step of the method for providing financial payment advice defined by claim 8. Claims 9 and 10 depend from claim 8. Accordingly, Andersen in view of Noyes fails to suggest each step of the method of claims 9 and 10 for the reasons discussed with respect to claim 8.

Additionally, Claim 9 sets forth the step of “generating advice on negotiating strategies for interacting with said individual.” As discussed above, Andersen provides the structure of a sales deal to maximize profits and ensure the purchase of the sales contract by dictating the negotiation process. There is no suggestion of any recommendation or of any strategies for interacting with a customer.

Claim 10 sets forth the step of “displaying said advice together with said questions.” The Examiner takes official notice that the step of displaying advice together with questions is an old and well-known process in the computer art. Applicants respectfully traverse this official notice. Applicants respectfully submit that it is not an old and well-known process to displaying

financial payment advice together with questions in a system for providing financial payment advice as defined by claim 10.

Independent claim 11 defines a method for providing financial payment advice specifically tailored to an individual's economic situation. Claim 11 includes the step of "classifying said individual's economic situation." There is no suggestion that a user of the Andersen system classifies the economic situation of the customer.

Also as discussed above, there is no benefit to modify Andersen to include a descriptive icon because there is no user selection in the described system. Andersen does not permit the user to choose the financial situation to be addressed. Andersen in view of Noyes simply does not suggest the selection of a descriptive icon. Accordingly, Andersen in view of Noyes fails to show or suggest a step of "selecting a descriptive icon, said descriptive icon representing one financial situation" as set forth by claim 11. Nor does Andersen suggest "obtaining answers to questions generated by said system in response to said selection of said descriptive icon" as set forth by claim 11.

Andersen does not address financial payment advice. Rather, as discussed above, the Andersen system dictates the negotiation process. Accordingly, Andersen does not show or suggest the step of "requesting financial payment advice" as set forth by claim 11.

For at least the above reasons, Andersen in view of Noyes fails to suggest each step of the method for providing financial payment advice defined by claim 11.

Independent claim 13 defines a system for providing financial payment advice specifically tailored to an individual's economic situation. Claim 13 includes a GUI comprising one or more descriptive icons representing one or more financial situations. Claim 13 is amended to set forth that the means for inputting information specific to an individual is based

on selection of one of said one or more descriptive icons. As discussed above, there is no benefit to modify Andersen to include a descriptive icon because there is no user selection in the Andersen system. Andersen does not permit the user to choose the financial situation to be addressed. Andersen in view of Noyes does not suggest the selection of a descriptive icon. Accordingly, Andersen in view of Noyes fails to show or suggest a GUI including descriptive icons representing financial situations and fails to suggest any means for inputting that acts based on selection of one of the descriptive icons.

Andersen does not address financial payment advice. Rather, as discussed above, the Andersen system dictates the negotiation process. Accordingly, Andersen does not show or suggest “means for generating financial payment advice” or “means for displaying said advice” as set forth by claim 13.

For at least the above reasons, Andersen in view of Noyes fails to suggest each element of the system for providing financial payment advice defined by claim 13. Claims 14 and 16 depend from claim 13. Accordingly, Andersen in view of Noyes fails to suggest each step of the method of claims 14 and 16 for the reasons discussed with respect to claim 8.

Additionally, Claim 14 sets forth the step of “generating advice on negotiating strategies for interacting with said individual.” As discussed above, Andersen provides the structure of a sales deal to maximize profits and ensure the purchase of the sales contract by dictating the negotiation process. There is no suggestion of any recommendation or of any strategies for interacting with a customer.

Claims 12 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Andersen in view of Noyes and further in view of U.S. Patent 6,021,397 issued to Jones et al. (hereinafter Jones). Claim 12 depends from claim 11. Claim 15 depends from claim 13.

Accordingly, Applicants submit that claims 12 and 15 are allowable over Andersen in view of Noyes for the reason discussed above. The additional applied reference to Jones et al. describes a system for advising a user regarding feasible and optimal portfolio allocations among a set of available financial products. Jones does not correct the deficiencies of Andersen and Noyes discussed above with respect to claims 11 and 13.

Claim 12 sets forth the additional step of “specifying the type of said advice generated by the system.” Claim 15 sets forth the additional element of “means for specifying the type of said advice generated by the system.” The Examiner acknowledges that neither Andersen or Noyes show this feature. The Examiner cites to column 6, lines 13-27 of Jones to show specifying the type of advice. Jones merely describes providing a diagnosis that can result in a series of suggested actions. There is no suggestion that these actions are classified by type and clearly no suggestion to specify such a type. Moreover assuming *arguendo* that Jones does categorize the suggested action, such categorization would be incompatible with the Andersen system. This is because the Andersen system only outputs deal structures for automobile sales. There is no benefit for Andersen to specify that the type of advice is a deal structure. Applicants respectfully submit that for at least the above reasons, Andersen in view of Noyes and Jones fail to show or suggest the invention as set forth in claims 12 and 15.

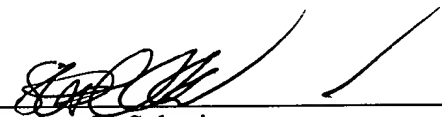
CONCLUSION

The Office Action, references and rejections have been duly considered by the application and addressed by the foregoing amendments and remarks. Reconsideration of the application and early allowance are respectfully solicited.

Should the Examiner however require resolution of any issues for allowance, the Examiner is invited to contact the undersigned to expedite the same.

Respectfully submitted,

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Appendix A

This appendix includes a marked up version of the amendments presented in this response.

Deletions are enclosed in brackets. Additions are underlined.

In The Specification

The first full paragraph on page 11 is amended as follows.

Once the customer's general information is retrieved and displayed, a CSR then engages the customer in a discussion and attempts to [elecits] elicit comments from the customer about the state of his or her current economic circumstance, as shown in Fig. 2 step 19. By this personal interaction, the CSR obtains an accurate picture of the customer's economic problem. For example, during such a discussion a customer may inform the CSR that he or she cannot make upcoming, scheduled payments for the balance of his or her credit card debt because either the customer or someone in the customer's household recently lost their job. Or, in some instances, a customer may simply state that they will not pay this credit card debt and offer no explanation to the CSR at all.

In The Claims

Claims 1, 7 and 13 are amended as follows.

1. (Amended) A system for providing financial payment advice specifically tailored to an individual's economic situation, comprising:

an interactive user application running on a computer, said computer having a display operatively connected to said computer;

a first graphical user interface (GUI) displayed on said display of said computer, said first GUI comprising one or more descriptive icons, said descriptive icons representing one or more financial situations;

a second GUI displayed on said display of said computer based on selection of one of said descriptive icons, said second GUI comprising one or more questions; and

a processor, said processor operative to generate financial payment advice in response to answers to said one or more questions, said advice displayed on said display.

7. (Amended) The system of claim 1 wherein said second GUI comprises means for specifying the type of said advice generated by said system.

13. (Amended) A system for providing financial payment advice specifically tailored to an individual's economic situation, comprising:

an interactive user application running on a computer, said computer having a display operatively connected to said computer;

a graphical user interface (GUI) displayed on said display of said computer, said GUI comprising one or more descriptive icons, said descriptive icons representing one or more financial situations;

means for inputting into said system information specific to said individual based on selection of one of said one or more descriptive icons;

means for generating financial payment advice based at least in part on said information specific to said individual; and

means for displaying said advice.